

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

UNITED STATES OF AMERICA,) CASE NO. 4:21-CR-031-Y
Government,)
VERSUS) FORT WORTH, TEXAS
BEATRIZ ANGELICA SANCHEZ (02)) AUGUST 24, 2021
Defendant.) 10:04 A.M.

VOLUME 1 OF 1
TRANSCRIPT OF SENTENCING
BEFORE THE HONORABLE TERRY R. MEANS
UNITED STATES DISTRICT COURT JUDGE

A P P E A R A N C E S :

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P R O C E E D I N G S

August 24, 2021 - 10:04 a.m.

(Participants wearing masks)

COURT SECURITY OFFICER: All rise.

Hear ye, hear ye, hear ye, the United States District Court for the Northern District of Texas at Fort Worth is now in session, the Honorable Terry R. Means presiding.

Let us pray. God bless these United States and this Honorable Court. Amen.

THE COURT: Let's be seated. We have an attorney admission this morning.

(Off-the-record discussion)

THE COURT: Next before the Court is the sentencing of Beatriz Angelica Sanchez in Case Number 4:21-CR-031-Y (2).

Are the parties ready to proceed?

MR. CANEZ: Yes, Your Honor, we are.

THE COURT: Good morning, Mr. Canez.

MR. CANEZ: I'm sorry?

THE COURT: Good morning.

MR. CANEZ: Good morning, sir.

THE COURT: You may remove your mask when you're speaking, unless you're uncomfortable with doing so.

MS. MONTES: Good morning, Your Honor.

THE COURT: Good morning. How are you?

1 MS. MONTES: Good. How are you?

2 THE COURT: How are things at home?

3 MS. MONTES: Great. Expecting a third one in
4 December, so I will be taking a break in a couple of months.

5 THE COURT: All right. And number two is, what,
6 about six months?

7 MS. MONTES: One year, a little better.

8 (Laughter)

9 THE COURT: Time flies. Okay.

10 MS. MONTES: Yes, the government is ready to proceed
11 as well.

12 THE COURT: All right. Good.

13 Mr. Sanchez, will you please step to the lectern,
14 along with your counsel -- Ms. Sanchez, pardon me.

15 Please acknowledge your presence in court for the
16 record by stating your full name.

17 THE DEFENDANT: Beatriz Angelica Sanchez Ibarra.

18 THE COURT: Thank you. Let the record reflect that
19 Ms. Sanchez is being assisted in translation and
20 interpretation by Yovana Gonzalez, a court certified
21 interpreter, who has previously been sworn.

22 Ms. Sanchez, you appeared before Magistrate Judge
23 Jeffrey Cureton on March 31, 2021, at which time you entered a
24 plea of guilty to Count 1 of the superseding information
25 charging you with conspiracy to possess with intent to

1 distribute a controlled substance in violation of 21 United
2 States Code Section 846 and 21 United States Code Sections
3 841(a)(1) and (b)(1)(B).

4 On that date, Judge Cureton found that your plea of
5 guilty was a knowing and voluntary plea supported by an
6 independent basis in fact containing each of the essential
7 elements of the offense.

8 You told him at that time that you understood the
9 elements of the offense, agreed to the accuracy of the Factual
10 Resume, and admitted that you committed all essential elements
11 of the offense.

12 Accordingly, on April 15, 2021, I entered an order
13 accepting your plea and adjudging you guilty of the crime
14 alleged in the superseding information against you.

15 This plea of guilty was taken pursuant to a plea
16 agreement, and I have reviewed that plea agreement and the
17 charge to which you have pled guilty, and I have determined
18 that that charge does adequately reflect the seriousness of
19 your actual offense behavior, so that accepting the plea
20 agreement will not undermine the statutory purposes of
21 sentencing. Also, all relevant conduct has been taken into
22 consideration in the calculation of the total offense level.

23 Therefore, the plea agreement is accepted, and the
24 judgment and sentence will be consistent with it.

25 Mr. Canez, did you and your client receive in a

1 timely manner a copy of the Presentence Report and the addenda
2 to the report?

3 MR. CANEZ: Yes, Your Honor, we did.

4 THE COURT: Did you have an opportunity to review
5 those carefully with Ms. Sanchez?

6 MR. CANEZ: Yes, Your Honor.

7 THE COURT: Did the government receive those timely?

8 MS. MONTES: Yes, Your Honor.

9 THE COURT: Then I'll now notify the parties of my
10 tentative findings as to the defendant's objections to the
11 Presentence Report.

12 The defendant's first objection is moot.

13 The defendant's other two objections are overruled
14 for the reasons set out in the government's response and the
15 probation officer's addendum.

16 Does the government have any objection or evidence
17 relating to those tentative findings?

18 MS. MONTES: No, Your Honor.

19 THE COURT: Does the defendant?

20 MR. CANEZ: No, Your Honor, not a legal one.

21 THE COURT: Then I adopt as my final findings of
22 fact the statements of fact made in the Presentence Report,
23 subject to and including changes and qualifications made by
24 the second addendum to the report.

25 After having considered the conclusions expressed by

1 the probation officer in the Presentence Report as to the
2 appropriate guideline calculations, I adopt those -- and after
3 having considered objections, I determine that the appropriate
4 guideline calculations are:

5 Total offense level 37; Criminal History Category I;
6 imprisonment range 210 to 262 months; supervised release range
7 2 years to 5 years; and a fine range of \$40,000 to \$5 million;
8 plus the costs of imprisonment and supervision.

9 Before I pronounce the sentence, Mr. Canez, do you
10 wish to make any remarks on behalf of Ms. Sanchez?

11 MR. CANEZ: Yes, Your Honor, I do.

12 THE COURT: Go ahead, sir.

13 MR. CANEZ: Thank you.

14 As I was preparing and reviewing her file last
15 night, I was reminded of a plaque that I saw when I was
16 transferred from the United States to Taipei, Taiwan. I was
17 meeting with the person that I was going to replace, and on
18 his wall he had a little plaque, and that plaque read:

19 I'm not allowed to run the train. The whistle, I
20 cannot blow. I'm not allowed to say how far the rail cars can
21 go. I'm not allowed to shoot off steam, nor even clang the
22 bell, but yet let the train jump the track, and guess who is
23 going to catch hell.

24 I think that is a situation that we have here. She
25 had no idea when the drugs were coming in. She had no idea

1 when they were going out. She did one thing. She cooked the
2 methamphetamine, and a lot of it. We don't have any problem
3 with that.

4 But, again, she knew almost nothing of this
5 operation. She was here. She was brought here from a small
6 town by someone she knew there, who was in the drug trade, and
7 kind of trusted him, and now she's going to have to pay with
8 210 months.

9 I think that that's a little bit harsh, Your Honor.
10 Our role here is not only to serve the law and to serve the
11 court, but our law is also justice.

12 Ms. Sanchez will be deported as soon as she finishes
13 her sentence. She is here lawfully with a visitor's visa.
14 She overstayed, but that's where we are, and both of us wish
15 that you would see your way clear to give her a much lower
16 sentence than 210 months, Your Honor. Thank you.

17 *THE COURT:* Ms. Sanchez, do you wish to speak on
18 your own behalf or present any information in mitigation of
19 your sentence?

20 *THE DEFENDANT:* Yes, Your Honor. Yes, Your Honor.

21 I would like to ask for an apology to the nation of
22 the United States of America, and also to the society, and I
23 ask to be -- I would like to apologize to all the people to
24 whom I harmed. I do accept responsibility for all my actions,
25 and I am totally remorseful.

1 I also would like to apologize to my mother and to
2 my children for having placed them in this position and having
3 defrauded them, left them in this -- in these dire straits. I
4 will find a way to improve myself as a person, doing the
5 things that will help me improve to be able to return to my
6 family as soon as possible, and that is because my husband and
7 I both had planned to have a family and to also form a home
8 that is honorable.

9 Since the age of 12 years old, I did begin to work
10 with my mother in her small business of selling clothes, and
11 that was to be able to afford her to support us and to give us
12 some type of future since she was a single mother, and she
13 never had or we never had any type of support at all from my
14 father at any time in my life.

15 Therefore, I would ask that you do have compassion
16 on me, Your Honor, but, above all things, considering that I
17 am a mother, and compassion for my children that are needing
18 me, and they are still small, and they don't -- they can't
19 count on any type of support from their parents. They only
20 have me, and at this time I only have the support from my
21 mother.

22 Thank you so much for listening to me, Your Honor.

23 *THE COURT:* Thank you, ma'am.

24 *THE DEFENDANT:* Thank you.

25 *THE COURT:* Ms. Montes, do you wish to be heard?

1 MS. MONTES: Just briefly, Your Honor.

2 This is certainly a sad situation given, you know,
3 the allocution from the defense attorney and the defendant;
4 however, it should not take away from the very integral and
5 important role this defendant had in this organization.

6 She wasn't just a cook of methamphetamine, Judge.
7 She was the trusted person of Mexico in this location to
8 reside, live, and run a large clandestine methamphetamine lab.
9 She also arranged for and delivered multiple kilograms of
10 methamphetamine, and was in possession of about \$32,000 cash,
11 which represents about 6 kilograms of methamphetamine, at the
12 residence at the time of the search warrant.

13 And to say that she had no idea of anything else is
14 also taken away from the facts of the case because she was
15 involved at different levels, at the delivery level, the
16 cooking level, and she also received -- the way the
17 methamphetamine was transported was in either 1-liter paint
18 cans or 5-gallon buckets. And based on the investigation, at
19 any given point, there were 40 or 50 of this 1-liter paint
20 cans, which had methamphetamine mixed in with this paint-like
21 substance that she then had to separate and convert throughout
22 the various process to make it into the distributable
23 methamphetamine, and about 15 of these 5-gallon buckets.

24 So, while her personal circumstances are certainly
25 something Your Honor can and will consider in arriving at an

1 appropriate sentence, this is someone that had large
2 responsibilities and large trust from this organization and
3 who was involved in the successful delivery of large
4 quantities of methamphetamine.

5 *THE COURT:* All right. Thank you.

6 I'll now state the sentence determined after
7 consideration of all the factors set out in Title 18 United
8 States Code Section 3553(a), including especially the advisory
9 sentencing guidelines issued by the sentencing commission and
10 the conduct admitted by Ms. Sanchez in her Factual Resume.
11 The attorneys will have a final chance to make legal
12 objections before sentence is finally imposed.

13 It is the judgment of the Court that the defendant,
14 Beatriz Angelica Sanchez, in Case Number 4:21-CR-031-Y (02),
15 be committed to the custody of the Federal Bureau of Prisons
16 for a period of 240 months.

17 The Court does not order a fine or costs of
18 incarceration because Ms. Sanchez does not have the financial
19 resources or future earning capacity to pay a fine or costs of
20 incarceration.

21 Restitution is not ordered because there is no
22 victim other than society at large.

23 Upon release from imprisonment, Ms. Sanchez shall be
24 on supervised release for a term of 4 years.

25 Under 18 United States Code Section 3553(d) (sic),

1 as a condition of supervised release upon the completion of
2 the sentence of imprisonment, Ms. Sanchez shall be surrendered
3 by the Bureau of Prisons to a duly authorized immigration
4 official for deportation in accordance with the established
5 procedures provided by the Immigration and Nationality Act.

6 As a condition of supervised release, if ordered
7 deported, she shall remain outside the United States.

8 In the event Ms. Sanchez is not deported immediately
9 upon release, or should she ever be within the United States
10 during any portion of the term of supervised release, she
11 shall, while on supervised release, comply with the standard
12 conditions recommended by the United States Sentencing
13 Commission at Section 5D1.3(c) of the United States Sentencing
14 Commission Guidelines Manual, and comply with certain other
15 conditions that have been set out in a separate order signed
16 by me this day and offered to Ms. Sanchez for her review and
17 signature.

18 She has now returned that order to me, with her
19 signature, indicating her receipt of those additional terms,
20 her understanding of them, her waiver of having them read here
21 in open court, and her agreement to be bound by them and
22 subject to revocation for any violation of them.

23 In addition, she is ordered to pay a mandatory
24 special assessment of \$100.

25 A sentence of 240 months is sufficient but not

1 greater than necessary to comply with the purposes set forth
2 in paragraph 2 of Section 3553(a), that is, reflect the
3 seriousness of and provide just punishment for the offense,
4 promote respect for the law, afford adequate deterrence to
5 criminal conduct, and protect the public from further crimes
6 of the defendant.

7 The Court has imposed a sentence of 240 months,
8 which is 30 months above the bottom of the guideline range of
9 210 months, because the defendant's relevant conduct is far
10 too serious to impose a bottom of the guideline sentence, or,
11 in fact, any sentence that has less than 20 years.

12 I've now stated the sentence and the reasons
13 therefor. I call upon the parties to indicate any legal
14 reason why sentence may not be imposed as stated?

15 MR. CANEZ: No, Your Honor.

16 MS. MONTES: No objection from the government.

17 THE COURT: Sentence is then imposed as stated.

18 Does the government have a motion?

19 MS. MONTES: No, Your Honor, not at this time.

20 THE COURT: I have a notation on my Presentence
21 Report that there are no remaining counts of superseding
22 information, but that you have a -- will move to dismiss Count
23 1 of the indictment.

24 MS. MONTES: Yes, Your Honor, I apologize. That is
25 correct. So, the government does move to dismiss the

1 indictment filed on February 10th, 2021.

2 *THE COURT:* Granted.

3 Ms. Sanchez, you have waived your right to appeal
4 your sentence and your right to complain of it in a collateral
5 proceeding; however, you have reserved from those waivers and
6 you do retain the right to complain of any errors in
7 arithmetic that I may have made in the calculation of your
8 total offense level or your criminal history category, also
9 the right to challenge the voluntariness of your plea of
10 guilty and/or your waiver of appellate rights, and the right
11 to complain of any ineffective assistance of counsel. If you
12 decide to appeal on any ground, you do have the right to apply
13 for leave to appeal in forma pauperis if you are unable to pay
14 the costs of an appeal.

15 You have returned to me this morning an instrument
16 entitled, Notice of Right to Appeal Sentence. Please
17 understand that this is the Court's notice to you that you
18 have the right to appeal. It is not your notice to the Court
19 that you are, in fact, appealing.

20 And if you decide to appeal, you must do so within
21 14 days, in writing, filed with the court, and Mr. Canez will
22 assist you in that if you ask him to.

23 Do you have any questions, ma'am?

24 *THE DEFENDANT:* No, Your Honor.

25 *THE COURT:* You are remanded to the custody of the

1 United States Marshal.

2 MR. CANEZ: Thank you, Your Honor.

3 (*End of Proceedings*)

4 **REPORTER'S CERTIFICATE**

5 I, Debra G. Saenz, CSR, RMR, CRR, certify that the
6 foregoing is a true and correct transcript from the record
7 of proceedings in the foregoing entitled matter.

8 Further, due to the COVID-19 pandemic, participants wore
9 masks or were heard via videoconference, so proceedings were
10 transcribed to the best of my ability.

11 I further certify that the transcript fees format
12 comply with those prescribed by the Court and the Judicial
13 Conference of the United States.

14 Signed this 9th day of November, 2021.

15
16 /s/ Debra G. Saenz

17 DEBRA G. SAENZ, CSR, RMR, CRR
18 Texas CSR No. 3158
19 Official Court Reporter
The Northern District of Texas
Fort Worth Division

20
21 CSR Expires: 1/31/2022

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